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7 Attorneys for Plaintiff  
United States of America

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) Case No. 08cv0394-WQH(CAB)  
11 Plaintiff, )  
12 v. ) DECLARATION OF BRUCE C. SMITH  
13 SIGNED PERSONAL CHECK NO.730 ) IN SUPPORT OF MOTION FOR DEFAULT  
14 OF YUBRAN S MESLE, DRAWN ) JUDGMENT  
15 FROM BANK OF AMERICA ACCOUNT )  
16 NO. 09672 67676 IN THE )  
17 AMOUNT OF \$240,000.00 IN )  
18 U.S. CURRENCY, )  
19 SIGNED PERSONAL CHECK NO.1004 )  
20 OF YUBRAN S MESLE, DRAWN )  
21 FROM WELLS FARGO BANK ACCOUNT )  
22 NO. 3572585739 IN THE AMOUNT )  
23 OF \$5,000.00 IN U.S. CURRENCY, )  
24 SIGNED PERSONAL CHECK NO.1040 )  
25 OF YUBRAN S MESLE, DRAWN )  
26 FROM BANK OF AMERICA )  
27 ACCOUNT NO. 24547 67190, NO AMOUNT )  
28 STATED, )  
29 \$197,031.14 IN U.S. CURRENCY )  
30 SEIZED FROM BANK OF AMERICA )  
31 ACCOUNT NO. 09672 67676 ON )  
32 FEBRUARY 22,2008, )  
33 \$1,598.21 IN U.S. CURRENCY )  
34 SEIZED FROM WELLS FARGO BANK )  
35 ACCOUNT NO. 3572585739 ON )  
36 FEBRUARY 22,2008, )  
37 Defendants. )  
38 \_\_\_\_\_ )

## EXHIBIT 3

1           I, Bruce C. Smith, declare:

2           1.       I am the Assistant United States Attorney primarily responsible for the prosecution  
3           of this case. I have prepared this Declaration based upon my review of the Court's docket and the  
4           file maintained by the U.S. Attorney's office with respect to this case.

5           2.       On March 3, 2008, a Complaint for Forfeiture was filed in the above action in the  
6           United States District Court for the Southern District of California against the above defendants.  
7           On March 11, 2008, the defendants were seized and arrested by a duly authorized agent of the  
8           United States Customs and Border Protection, who thereafter took possession and custody of the  
9           defendants, pursuant to the Court's Order appointing United States Customs and Border Protection  
10           as custodian, dated March 6, 2008.

11           3.       On March 6, 2008, Notice of Judicial Forfeiture Proceedings and a copy of the  
12           Complaint for Forfeiture were sent by certified mail to the following potential claimants at their  
13           addresses of record:

14	<u>Name and Address</u>	<u>Article No.</u>	<u>Result</u>
15	Ata Z. Dighlawi 39702 Fairview Court Murrieta, CA 92563-6540	7004 2510 0003 3014 6394	Delivered on 3/8/08 per USPS track & confirm
17	Ata Mohamed 39702 Fairview Court Murrieta, CA 92563-6540	7004 2510 0003 3014 6387	Delivered on 3/17/08 per USPS track & confirm
19	Dighlawi Mahbuba 39702 Fairview Court Murrieta, CA 92563-6540	7004 2510 0003 3014 6370	Delivered on 3/8/08 per USPS track & confirm
21	Jubran Mesle 11587 Trailway Drive Riverside CA 92505	7004 2510 0003 3014 6363	Delivered on 3/8/08 per USPS track & confirm
23	Yubran S. Mesle 11587 Trailway Drive Riverside CA 92505	7004 2510 0003 3014 6356	Delivered on 3/8/08 per USPS track & confirm
25	Jubran Dighlawi 11587 Trailway Drive Riverside CA 92505	7004 2510 0003 3014 6417	Delivered on 3/8/08 per USPS track & confirm
27	Jubran Dighlawi 13646 Lowell Street Corona, CA 92880	7004 2510 0003 3014 6400	Delivered on 3/24/08 per USPS track & confirm

1           4. On April 4, 16 and 23, 2008, pursuant to Rule G(5) of the Supplemental Rules for  
2 Admiralty or Maritime and Claims and Asset Forfeiture Actions, notice was published in the  
3 San Diego Commerce newspaper.

4           5. From the time of said notice, no claim or answer has been filed regarding the above-  
5 named defendants by anyone.

6           6. On June 9, 2008, a Declaration of and Request for Clerk's Entry of Default was filed  
7 in this case. A Clerk's Entry of Default was issued on June 10, 2008, and a copy is attached to the  
8 Motion as Exhibit 2.

9           I declare under penalty of perjury that the foregoing is true and correct to the best of my  
10 information, knowledge and belief.

11           DATED: July 18, 2008.

12           s/ Bruce C. Smith

13           BRUCE C. SMITH  
14           Assistant U.S. Attorney  
15           Attorneys for Plaintiff  
16           United States of America  
17           Email: [bruce.smith@usdoj.gov](mailto:bruce.smith@usdoj.gov)

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